HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.19105 of 2005

Dated 30th August, 2005

Between:

K.Padmavathi, W/o.Veeranjaneyulu,

Age 36 years, F.P.Shop Dealer,

R/o.Kutchellapadu village,

Vemuru Mandal, Guntur District .. Petitioner

And

The Government of A.P. rep. by

its Secretary, Civil Supplies Department,

Secretariat, Hyderabad and three others .. Respondents

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ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the 3rd respondent in suspending the petitioner for an indefinite

period vide Proceedings dated 1.8.2005 without issuing any notice nor providing her an opportunity of being heard nor following due process of law as illegal and arbitrary and consequently to direct the respondents to restore the Fair Price Shop to the petitioner by setting aside the impugned order of suspension.

The learned counsel for the petitioner has contended that the impugned order has been issued without conducting any enquiry nor issuing any notice, and therefore, it is liable to be set aside.

The learned Government Pleader for Civil Supplies has contended that it is a suspension pending enquiry, and therefore, the impugned order does not require any interference.

As seen from the impugned proceedings, dated 1.8.2005, for certain irregularities, the licence of the petitioner was suspended pending enquiry. Since it is a suspension pending enquiry, it need not be interfered with in view of the fact that the impugned order is suspension pending enquiry.

Therefore, without expressing any opinion on the merits of the case, I consider it appropriate to direct the 3rd respondent to complete the enquiry within a period of six weeks from the date of receipt of a copy of this order. If, for any reason, the 3rd respondent-Revenue Divisional Officer, Tenali, is unable to complete the enquiry within the time stipulated, he shall take steps to restore the licence of the petitioner. It is also made clear that the petitioner shall extend all necessary cooperation with the enquiry for disposal of her case.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

30.08.2005

bcj